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April 2, 2012

**VIA ECF**

Judge William F. Kuntz, II  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Shirley Wrubel v. John Hancock Life Ins. Co.  
Docket No. 11-cv-01873 (WFK) (LB)  
Our File No. 4206.0002**

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Dear Honorable Judge Kuntz:

We represent the plaintiff in the above referenced matter. We also represent Herman Jacobowitz. His corporation, Classon, Inc., funded the premiums for one of the two policies of insurance issued by John Hancock, which are the subject of this litigation.

This morning, in preparation for today's deposition of Mr. Jacobowitz, he produced to us 507 pages worth of emails between Mr. Jacobowitz and Mr. Josh Berman which clearly disprove John Hancock's suggestion that Mr. Berman was anything less than fully immersed in this matter and that Mr. Berman and Mr. Jacobowitz were (and still are) friends. The emails have not been produced to John Hancock as they are privileged.

In fact, other emails produced to us on Friday indicate that Mr. Berman communicated with Mr. Jacobowitz with respect to other legal matters even after joining Kelley Drye. We respectfully request an opportunity to present those emails to the Court, *in camera*, in advance of Thursday's conference before Your Honor.

Respectfully yours,

LIPSIUS-BENHAIM LAW, LLP



David BenHaim